

Remarks

Claims 2-32, 34-39, 41-61, 63-83 are pending. Appreciation is expressed for the indication of allowance of claims 2-23, 41-61, and 63-83.

Rejection of Claims under 35 U.S.C. § 102/103

Claims 24-26 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Welin, U.S. Patent No. 6,975,629. Claims 32-39 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Dyckerhoff et al., U.S. Patent No. 7,016,367 (Dyckerhoff). Claims 21-37 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Welin in view of Magnussen et al., U.S. Patent No. 6,977,940 (Magnussen). The applicants respectfully traverse these rejections.

Welin fails to teach or suggest a packet reordering system comprising:

a packet reorder buffer; and

a 'head-of-line' pointer,

as required by independent claim 24. Regarding these limitations, the Examiner refers to column 23, lines 51-61 of Welin, which state:

A packet buffer 1181 receives packets for the many channels. If the packets were processed on a first-in-first-out basis from buffer 1181, holding packets C,A,B,Q,B,Q,B,A,A, various late-arriving packets C,A,B would be useless to the system because they would be processed too late. A selector 1185 operates according to a process that advances processing of a packet C, for example, where channel buffer 1175.c is almost empty, by moving packet C "to the head of the line" that is, by moving packet C from the tail end buffer 1181 to the almost-empty channel buffer 1175.c.

While the cited portion of Welin describes a packet buffer that is used to advance processing of certain packets and refers to moving a particular packet "to the head of the line," it fails to teach or suggest the claimed head-of-line *pointer*. Similarly, Figure 11 of Welin fails to teach or suggest the claimed pointer. Accordingly, independent claim 24 is allowable over Welin. Claims 25-31 depend from claim 24 and are allowable for at least this reason.

Dyckerhoff fails to teach or suggest a network element including:

a processor . . . configured to . . .

separate said plurality of incoming packets into a plurality of subsets of incoming packets, wherein said plurality of incoming packets is separated according to a plurality of characteristics of said plurality of incoming packets; and

forward said plurality of subsets of incoming packets in a second order,

as required by independent claim 32. Regarding these limitations, the Examiner refers to column 4, lines 23-34 which state:

In this case, the sprayer 210 may receive multiple incoming packet streams, each containing one or more packets and distribute the packets to the packet processors 220A 220N.

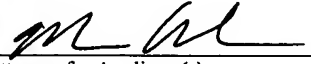
The packet processors 220 may process the packets to forward the packets through the router 200. For example, the packet processors 220 may analyze the contents of a packet to identify the output port through which to transmit the packet. The desprayer 230 may receive the processed packets from the packet processors 220A 220N and transmit the packets on outgoing packet streams, as instructed by the packet processors 220.

The Examiner equates the claimed processor with sprayer 210. Office Action of August 8, 2006, p. 3, ¶2. However, the cited portion of Dyckerhoff fails to teach or suggest that sprayer 210 separates packets “according to a plurality of characteristics of said plurality of incoming packets.” In fact, the cited portion of Dyckerhoff is silent as to sprayer 210’s ability to perform any packet analysis. Instead, Dyckerhoff teaches that packet processors 220 may analyze the contents of a packet to identify the output port through which to transmit the packet. However, this also fails to teach or suggest the claimed processor operation, i.e., separating packets according to a *plurality of characteristics* of the plurality of incoming packets.

Regarding the claimed ability to forward the plurality of subsets of incoming packets in a second order, the cited portion of Dyckerhoff is also silent. Dyckerhoff discusses sprayer 210’s ability to “distribute the packets to the packet processors,” but neither teaches nor suggests distribution in a particular order, let alone an order (the “second order”) that is different from the order (the “first order”) in which packets are received. Accordingly, the applicants respectfully submit that claim 32 is allowable over

Dyckerhoff. Claims 34-39 depend from claim 32 and are allowable for at least this reason.

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the examiner is requested to telephone the undersigned.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450, on <u>11/1</u> , 2006.	
 Attorney for Applicant(s)	<u>11/1/06</u> Date of Signature

Respectfully submitted,



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